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7 REDBOX AUTOMATED RETAIL, LLC, and
SAVE MART SUPERMARKETS

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

12 LIGHTHOUSE FOR THE BLIND AND
13 VISUALLY IMPAIRED, on behalf of
itself and all others similarly situated,
14 ANGELA GRIFFITH, on behalf of herself
and all others similarly situated, LISA
15 MARIA MARTINEZ, on behalf of herself
and all others similarly situated, JOSH
SAUNDERS, on behalf of himself and all
16 others similarly situated, SHANA RAY, on
behalf of herself and all others similarly
situated, and JENNIFER WESTBROOK,
17 on behalf of herself and all others similarly
situated,

18 Plaintiffs,

19 v.

20 REDBOX AUTOMATED RETAIL, LLC,
21 AND SAVE MART SUPERMARKETS,

22 Defendants.

No. 12-cv-00195 PJH

**[PROPOSED] ORDER GRANTING
DEFENDANT SAVE MART
SUPERMARKETS' FRCP 12(B)(6)
MOTION TO DISMISS PLAINTIFFS'
COMPLAINT**

The Honorable Phyllis J. Hamilton

1 Having considered Defendant Save Mart Supermarkets' Motion to Dismiss Plaintiffs'
2 claims pursuant to Federal Rule of Civil Procedure 12(b)(6), and the supporting declaration of
3 Charles Swanson and exhibits attached thereto which were lodged with the Court on April 16,
4 2012, Plaintiffs' Opposition, and Save Mart's Reply, and the oral argument of counsel:

5 **IT IS HEREBY ORDERED** that Defendant Save Mart's motion is **GRANTED**. The
6 Court dismisses Plaintiffs' Complaint for Violations of the Americans with Disabilities Act, 42
7 U.S.C. §§ 1201, *et seq.*, The Unruh Civil Rights Act, Cal. Civ. Code 51, *et seq.*, and the
8 California Disabled Persons Act, Cal. Civ. Code §§ 54-54.3 with prejudice, as to Defendant Save
9 Mart.

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12 DATED: _____

HON. PHYLLIS J. HAMILTON
UNITED STATES DISTRICT JUDGE

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